IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 415 of 1984

Date of Decision: 01.03.2007

M/s Raghbir Singh Wadhawan and sons and another.

...Petitioners

Versus

The Chief Conservator of Forests, Haryana and others.

...Respondents

CORAM : HON'BLE MR. JUSTICE S.D. ANAND

Present ; Mr. Amit Chopra, Advocate,
for Mr. R.K. Chopra, Advocate,
for the petitioners.

Mr. A.K. Rathee, Assistant Advocate General, Haryana.

S.D. Anand, J. (Oral)

The controversy in the present Civil Writ Petition is with regard to the fact whether the trees under reference are located on the land owned by the petitioners or otherwise. There was an averment in the course of preliminary objection No.2 of the written statement filed on behalf of respondent Nos. 1 and 2 to the effect that "the answering respondents are prepared to get the demarcation made afresh by the competent authorities in the presence of the petitioners". In the light of that averment, learned counsel for the petitioners states that the petitioner is agreeable to get a fresh demarcation by the Competent Authority in the presence of both the parties.

In view, thus, of the consensual position, it is directed that a fresh demarcation in the context would be made by the Tehsildar, Ambala

personally within a period of two months from today. It is further agreed that the present Civil Writ Petition may be disposed of in the light of the above consensual statement. However, the party adversely effected by the ultimate outcome of the demarcation, would be entitled to file a fresh writ petition.

Disposed of accordingly, with consensual liberty afore-mentioned.

01.03.2007 (S.D. Anand)
vkd Judge